

REMARKS

Claims 1-10, 13-17, 19-22 are now pending in the application. The Examiner is respectfully requested to reconsider and withdraw the rejection in view of the amendments and remarks contained herein.

INTERVIEW SUMMARY

A telephonic interview was conducted the afternoon of Thursday, September 14, 2006 in which the Examiner's supervisor, Examiner John Barlow, and the undersigned attorney were the sole participants. Claims 19 and 20 were discussed and Examiner John Barlow and the undersigned attorney agreed that Claims 19 and 20 did produce a useful, concrete result. In this regard, it was agreed that the useful, concrete result could be found in lines 5-8 of these claims.

CLAIM REJECTIONS BASED ON 35 U.S.C. §101

The Office has rejected Claims 19 and 20 under 35 U.S.C. §101 stating that the claims are directed to non-statutory subject matter. This rejection is respectfully traversed.

Applicant directs the Examiner to the remarks in the section entitled Interview Summary, above.

Applicant notes that Claims 19 and 20 each recite "aligning one of the container and the stem directly to an axis of the other one of the container and the stem", and "aligning the moving crosshead horizontally and vertically to an axis defined by the main ram". See, Claim 19, lines 5-8 and Claim 20, lines 5-8. Applicant submits that the recitation of "aligning" produces a useful, concrete result and as such, the Office has not established a *prima facie* case of non-statutory subject matter. Accordingly, Applicant

respectfully requests reconsideration and withdrawal of the rejection of Claims 19 and 20 under 35 U.S.C. §101.

ALLOWABLE SUBJECT MATTER & COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

Applicant gratefully notes the allowance of Claims 1-10 and 13-17. Applicant, however, believe that the Statement of Reasons for Allowance in this case is improper as it merely copies selected limitations of independent Claims 1, 13, and 17 into the statement of reasons for allowance. While Applicant believes that the claims are allowable, Applicant does not acquiesce that patentability resides in each identified feature or combination of features, exactly as stated in the statement of reasons for allowance or expressed in the claims, or that each feature or combination of features identified is required for patentability, or that equivalents of any of the recited features are outside the scope of the claims. Moreover, to the extent the Reasons For Allowance do not expressly address remaining Claims 2-10, 14-16 and 18, Applicants do not acquiesce to any inference that these claims do not present patentable subject independent of the patentability of their respective independent claim.

CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action and the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner

believes that personal communication will expedite prosecution of this application, the
Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

Dated: September 14, 2006
By: 
Michael D. Zalobsky
Reg. No. 45,512

Paul A. Keller
Reg. No. 29,752

HARNESS, DICKEY & PIERCE, P.L.C.
P.O. Box 828
Bloomfield Hills, Michigan 48303
(248) 641-1600

MDZ